

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PIT RIVER TRIBE, a federally recognized
Indian tribal government,

Plaintiff,

v.

GAVIN NEWSOM, et al.,

Defendants.

No. 2:20-cv-01918-ADA-SKO

ORDER GRANTING PARTIES' JOINT
STIPULATION FOR APPOINTMENT OF
MEDIATOR

(ECF No. 45)


The parties have jointly agreed to appoint Scott Bales, retired Chief Justice of the Arizona Supreme Court, to serve as a mediator pursuant to 25 U.S.C. § 2710(d)(7)(B)(iv). (ECF No. 45.)

Within ten days of this order, each party is directed to submit to the mediator “a proposed compact that represents their last best offer for a compact.” 25 U.S.C. § 2710(d)(7)(B)(iv). “The mediator shall select from the two proposed compacts the one which best comports with the terms of [the IGRA] and any other applicable Federal law and with the findings and order of the court.” *Id.* Once the mediator selects a compact as directed, he shall submit [the selected compact] to the State and the Indian tribe.” *Id.* § 2710(d)(7)(B)(v). “If [the] State consents to a proposed compact during the 60-day period beginning on the date on which the proposed compact is submitted by the mediator to the State . . . , the proposed compact shall be treated as a Tribal-State compact entered into under [§ 2710(d)(3)].” *Id.* § 2710(d)(7)(B)(vi). “If the State does not

1 consent during the 60-day period described [above] to [the] proposed compact submitted by [the
2 mediator to the State], [he] shall notify the Secretary” of the Interior. *Id.* § 2710(d)(7)(B)(vii).
3 The Secretary of the Interior, in consultation with the Tribe, shall then prescribe procedures for
4 operation of Class III gaming by the Tribe that are consistent with the compact selected by the
5 mediator, the provisions of IGRA, and the laws of the State. *Id.*

6
7
8 IT IS SO ORDERED.

9 Dated: October 4, 2023


UNITED STATES DISTRICT JUDGE